

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

MOISES CUETO,

Defendant.

11-CR-1032-80 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On July 20, 2017, defendant Moises Cueto was sentenced principally to a term of imprisonment of 174 months. Dkt. 2203.

On January 2, 2024, Cueto filed a motion requesting that the Court consider a sentence reduction pursuant to Amendment 821 to the Sentencing Guideline, which went into effect on November 1, 2023 and applies retroactively. Dkt. 2690. The United States Probation Department has issued a report indicating that Cueto is not eligible for a sentence reduction. Dkt. 2695.

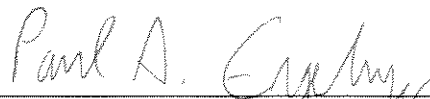
The Court has considered the record in this case, and the submissions on this motion of the defendant, Dkt. 2690, and the Probation Department, Dkt. 2695.

The Court finds that Cueto is ineligible for a reduction of sentence because, as explained by the Probation Department, he does not meet the eligibility criteria of Amendment 821. The Court therefore denies Cueto's motion.

The Clerk of Court is requested to terminate the motion at Dkt. 2690 and to mail a copy of this order to Cueto at the below address:

Moises Cueto
FCI Memphis, 75353-066
P.O. Box 34550
Memphis, TN 38184

SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer", is written over a horizontal line.

PAUL A. ENGELMAYER
United States District Judge

Dated: February 7, 2024
New York, New York